

SENATE BILL 366

E1

2lr1720

By: **Senator Stone**

Introduced and read first time: January 30, 2012

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Unnatural and Perverted Sexual Practices – Animals**

3 FOR the purpose of reclassifying certain unnatural or perverted sexual practices with
4 an animal as a felony; and generally relating to unnatural and perverted sexual
5 practices.

6 BY repealing and reenacting, with amendments,
7 Article – Criminal Law
8 Section 3–322
9 Annotated Code of Maryland
10 (2002 Volume and 2011 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article – Criminal Law**

14 3–322.

15 (a) **(1)** A person may not:

16 **[(1)] (I)** take the sexual organ of another [or of an animal] in the
17 person’s mouth;

18 **[(2)] (II)** place the person’s sexual organ in the mouth of another [or
19 of an animal]; or

20 **[(3)] (III)** commit another unnatural or perverted sexual practice with
21 another [or with an animal].

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) A PERSON MAY NOT:**

2 **(I) TAKE THE SEXUAL ORGAN OF AN ANIMAL IN THE**
3 **PERSON'S MOUTH;**

4 **(II) PLACE THE PERSON'S SEXUAL ORGAN IN THE MOUTH OF**
5 **AN ANIMAL; OR**

6 **(III) COMMIT ANOTHER UNNATURAL OR PERVERTED SEXUAL**
7 **PRACTICE WITH AN ANIMAL.**

8 (b) **(1)** A person who violates **SUBSECTION (A)(1)** OF this section is guilty
9 of a misdemeanor and on conviction is subject to imprisonment not exceeding 10 years
10 or a fine not exceeding \$1,000 or both.

11 **(2) A PERSON WHO VIOLATES SUBSECTION (A)(2) OF THIS**
12 **SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO**
13 **IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$1,000**
14 **OR BOTH.**

15 (c) A person who violates this section is subject to § 5-106(b) of the Courts
16 Article.

17 (d) An indictment for a violation of this section:

18 (1) is sufficient if it states that the defendant committed an unnatural
19 and perverted sexual practice with a person or animal as applicable; but

20 (2) need not state the particular:

21 (i) unnatural or perverted sexual practice with which the
22 defendant is charged; or

23 (ii) manner in which the defendant committed the unnatural or
24 perverted sexual practice.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2012.